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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor:

S.J. Crampton

Attorney Docket No.: DCBP119831

AUG 0 2,2011

Patent No.:

7,313,264

Issued: December 25, 2007

Application No.:

10/601,043

Filed: June 20, 2003

Confirmation No.:

8366

Title: SCANNING APPARATUS AND METHOD

RENEWED PETITION IN RESPONSE TO NOTICE REGARDING NON-ACCEPTANCE OF MAINTENANCE FEE DEFICIENCY

August 2, 2011

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AUG 12 2011

TO THE COMMISSIONER FOR PATENTS ATTN: JOAN OLSZEWSKI:

OFFICE OF PETITIONS

This renewed petition is responsive to a Notice mailed from the U.S. Patent and Trademark Office, Office of Petitions, on July 20, 2011, regarding a request for acceptance of a fee deficiency submission that was filed in the above-identified patent on June 28, 2011. The request was dismissed for reasons discussed below. Petitioner respectfully renews the request for acceptance of the maintenance fee deficiency in this patent.

As a matter of background, on June 20, 2011, a Notification of Change of Status Pursuant to 37 C.F.R. § 1.27(g)(2) was filed by the undersigned counsel, changing petitioner's status as a small entity to a large entity.

Shortly prior to submission of this Notification, a small entity maintenance fee payment of \$490 was submitted. This payment was made in good faith. Thereafter, on June 28, 2011, a maintenance fee deficiency of \$490 was submitted in the above-identified patent.

As indicated in the July 20, 2011, Notice received from the Office of Petitions, the fee deficiency submission was dismissed because "that part of the petition directed to the deficiency payment [was] not signed by the proper party." We are therefore resubmitting this request for acceptance of the deficiency payment, signed by a registered patent attorney acting in a representative capacity under the provisions of 37 C.F.R. § 1.34.

Although the deficiency submission was "dismissed," the second \$490 fee payment appears to have been accepted by the USPTO. The money was not returned to the payee, Dennemeyer & Co. Ltd., who was acting on petitioner's behalf. Therefore, we request that the

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LAW OFFICES OF CHRISTENSEN O'CONNOR JOHNSON KINDNESSMA 1420 Fifth Avenue

Suite 2800 Seattle, Washington 98101

206,682,8100

U.S. Patent and Trademark Office records be updated to reflect petitioner's "large entity" status and to show the large entity maintenance fee of \$980 as having been paid.

If necessary, this paper reaffirms the notification of a loss of entitlement to small entity status pursuant to 37 CFR $\S1.27(g)(2)$. Patentee no longer asserts small entity status and respectfully requests removal of such assertion in the above-referenced patent.

Also, if necessary, the U.S. Patent and Trademark Office is authorized to charge Deposit Account No. 03-1740 for any additional fees required to grant this petition and to perfect the petitioner's payment of the maintenance fee for the above-noted patent.

Respectfully submitted,

CHRISTENSEN O'CONNOR
JOHNSON KINDNESS^{**LC}

Kevan L. Morgan Registration No. 42,015 Direct Dial No. 206.695.1712

I hereby certify that this correspondence is being facsimile transmitted and addressed to the U.S. Patent and Trademark Office, Office of Petitions, (571) 273-8300, on the belowdays

Date:

LAW OFFICES OF

CHRISTENSEN O'CONNOR JOHNSON KINDNESS**

1420 Fifth Avenue

Suite 2800

Seattle, Washington 98101

206.682,8100

KLM:ctg